

Adopted	Rejected
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COMMITTEE REPORT

YES:	7
NO:	0

MR. SPEAKER:

Your Committee on **Veterans Affairs and Public Safety**, to which was referred House Bill 1538, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 6, between lines 1 and 2, begin a new paragraph and insert:
- 2 "SECTION 5. IC 5-10.4-4-8, AS AMENDED BY P.L.119-2006,
- 3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2007]: Sec. 8. (a) This subsection applies to a member who
- 5 retires before July 1, 1980. A member who had completed four (4)
- 6 years of approved college teacher education before voluntary or
- 7 involuntary induction into the military services is entitled to credit for
- 8 that service as if the member had begun teaching before the induction.
- 9 A member who serves in military service is considered a teacher and
- 10 is entitled to the benefits of the fund if before or during the leave of
- 11 absence the member pays into the fund the member's contributions.
- 12 Time served by a member in military service for the duration of the
- 13 hostilities or for the length of active service in the hostilities and the
- 14 necessary demobilization time after the hostilities is not subject to the
- 15 one-seventh rule set forth in section 7 of this chapter.
- 16 (b) This subsection applies to a member who retires after June 30,

1 1980. A member who completed four (4) years of approved college
 2 teacher education before voluntary or involuntary induction into
 3 military service is entitled to credit for the member's active military
 4 service as if the member had begun teaching before the induction. A
 5 member who serves in military service is considered a teacher and is
 6 entitled to the benefits of the fund if the following conditions are met:

7 (1) The member has an honorable discharge.

8 (2) Except as provided in subsection (e), the member returns to
 9 active teaching service not later than ~~eighteen (18)~~ **twenty-four**
 10 **(24)** months after the completion of active military service.

11 (3) The member has at least ten (10) years of in-state service
 12 credit.

13 The time served by a member in military service for the duration of the
 14 hostilities or for the length of active service in the hostilities and the
 15 necessary demobilization time after the hostilities is not subject to the
 16 one-seventh rule set forth in section 7 of this chapter. However, not
 17 more than six (6) years of military service credit may be granted under
 18 this subsection.

19 (c) This subsection applies to a member who retires after May 1,
 20 1989. A member who had begun but had not completed four (4) years
 21 of approved college teacher education before voluntary or involuntary
 22 induction into the military services is entitled to service credit in an
 23 amount equal to the duration of the member's active military service if
 24 the following conditions are met:

25 (1) The member has an honorable discharge.

26 (2) Except as provided in subsection (e), the member returns to a
 27 four (4) year approved college teacher training program not later
 28 than ~~eighteen (18)~~ **twenty-four (24)** months after the completion
 29 of active military service and subsequently completes that
 30 program.

31 (3) The member has at least ten (10) years of in-state service
 32 credit.

33 The time served by a member in active military service for the length
 34 of active service in the hostilities and the necessary demobilization is
 35 not subject to the one-seventh rule set forth in section 7 of this chapter.
 36 However, not more than six (6) years of military service credit may be
 37 granted under this subsection.

38 (d) This subsection applies to a member who retires after May 1,

1 1991, and who is employed at a state institution of higher education. A
 2 member who had begun but had not completed baccalaureate or
 3 post-baccalaureate education before voluntary or involuntary induction
 4 into military service is entitled to the member's active military service
 5 credit for the member's active military service in an amount equal to
 6 the duration of the member's military service if the following
 7 conditions are met:

8 (1) The member received an honorable discharge.

9 (2) Except as provided in subsection (e), the member returns to
 10 baccalaureate or post-baccalaureate education not later than
 11 ~~eighteen (18)~~ **twenty-four (24)** months after completion of active
 12 military service and subsequently completes that education.

13 (3) The member has at least ten (10) years of in-state service
 14 credit.

15 The time served by a member in active military service for the length
 16 of active service in the hostilities and the necessary demobilization is
 17 not subject to the one-seventh rule set forth in section 7 of this chapter.
 18 However, not more than six (6) years of military service credit may be
 19 granted under this subsection.

20 (e) The board shall extend the ~~eighteen (18)~~ **twenty-four (24)**
 21 month deadline contained in subsection (b)(2), (c)(2), or (d)(2) if the
 22 board determines that an illness, an injury, or a disability related to the
 23 member's military service prevented the member from returning to
 24 active teaching service or to a teacher education program not later than
 25 ~~eighteen (18)~~ **twenty-four (24)** months after the member's discharge
 26 from military service. However, the board may not extend the deadline
 27 beyond ~~thirty (30)~~ **thirty-six (36)** months after the member's discharge.

28 (f) If a member retires and the board subsequently determines that
 29 the member is entitled to additional service credit due to the extension
 30 of a deadline under subsection (e), the board shall recompute the
 31 member's benefit. However, the additional service credit may be used
 32 only in the computation of benefits to be paid after the date of the
 33 board's determination, and the member is not entitled to a
 34 recomputation of benefits received before the date of the board's
 35 determination.

36 (g) Notwithstanding any provision of this section, a member is
 37 entitled to military service credit and benefits in the amount and to the
 38 extent required by the federal Uniformed Services Employment and

1 Reemployment Rights Act (38 U.S.C. 4301 et seq.), including all later
2 amendments.

3 (h) Subject to this section, an active member may purchase not more
4 than two (2) years of service credit for the member's service on active
5 duty in the armed services if the member meets the following
6 conditions:

7 (1) The member has at least one (1) year of credited service in the
8 fund.

9 (2) The member serves on active duty in the armed services of the
10 United States for at least six (6) months.

11 (3) The member receives an honorable discharge from the armed
12 services.

13 (4) Before the member retires, the member makes contributions
14 to the fund as follows:

15 (A) Contributions that are equal to the product of:

16 (i) the member's salary at the time the member actually
17 makes a contribution for the service credit;

18 (ii) a rate, determined by the actuary of the fund, that is
19 based on the age of the member at the time the member
20 actually makes a contribution for service credit and
21 computed to result in a contribution amount that
22 approximates the actuarial present value of the benefit
23 attributable to the service credit purchased; and

24 (iii) the number of years of service credit the member
25 intends to purchase.

26 (B) Contributions for any accrued interest, at a rate determined
27 by the actuary of the fund, for the period from the member's
28 initial membership in the fund to the date payment is made by
29 the member.

30 However, a member is entitled to purchase service credit under this
31 subsection only to the extent that service credit is not granted for that
32 time under another provision of this section. At least ten (10) years of
33 service in Indiana is required before a member may receive a benefit
34 based on service credits purchased under this section. A member who
35 terminates employment before satisfying the eligibility requirements
36 necessary to receive a monthly allowance or receives a monthly
37 allowance for the same service from another tax supported public
38 employee retirement plan other than under the federal Social Security

1 Act may withdraw the purchase amount plus accumulated interest after
 2 submitting a properly completed application for a refund to the fund.

3 (i) The following apply to the purchase of service credit under
 4 subsection (h):

5 (1) The board may allow a member to make periodic payments of
 6 the contributions required for the purchase of the service credit.
 7 The board shall determine the length of the period during which
 8 the payments must be made.

9 (2) The board may deny an application for the purchase of service
 10 credit if the purchase would exceed the limitations under Section
 11 415 of the Internal Revenue Code.

12 (3) A member may not claim the service credit for purposes of
 13 determining eligibility or computing benefits unless the member
 14 has made all payments required for the purchase of the service
 15 credit.

16 (j) This subsection applies to a member who retires after June 30,
 17 2006. A member may not receive credit under this section for service
 18 for which the member receives service credit under the terms of a
 19 military or another governmental retirement plan.".

20 Page 22, between lines 27 and 28, begin a new paragraph and insert:
 21 "SECTION 24. IC 10-17-12-9, AS ADDED BY P.L.58-2006,
 22 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2007]: Sec. 9. (a) The fund consists of the following:

- 24 (1) Appropriations made by the general assembly.
- 25 (2) Donations to the fund.
- 26 (3) Interest as provided in subsection (b).
- 27 (4) Money transferred to the fund from other funds.
- 28 (5) Annual supplemental fees collected under IC 9-29-5-38.5.
- 29 (6) Money from any other source authorized or appropriated for
 30 the fund.

31 (b) The treasurer of state shall invest the money in the fund not
 32 currently needed to meet the obligations of the fund in the same
 33 manner as other public money may be invested. Interest that accrues
 34 from these investments shall be deposited in the fund.

35 (c) Money in the fund at the end of a state fiscal year does not revert
 36 to the state general fund or to any other fund.

37 (d) There is annually appropriated to the department for the
 38 purposes of this chapter all money in the fund not otherwise

appropriated to the department for the purposes of this chapter.

(e) In addition to an appropriation made under subsection (a)(1), there is annually appropriated from the state general fund to the fund an amount equal to the lesser of the following:

(1) The sum of:

(A) donations described in subsection (a)(2); plus

(B) fees described in subsection (a)(5);

deposited during the immediately preceding fiscal year.

(2) Three hundred fifty thousand dollars (\$350,000)."

Page 26, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 26. IC 14-8-2-148 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 148. "Law enforcement officer" has the following meanings:

(1) For purposes of IC 14-15-8, the meaning set forth in IC 14-15-8-4.

(2) For purposes of IC 14-22-11-5, the meaning set forth in IC 14-22-11-5(a).

~~(2)~~ (3) For purposes of IC 14-22-40, the meaning set forth in IC 14-22-40-5.

SECTION 27. IC 14-22-11-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. **(a) As used in this section, "law enforcement officer" means a:**

(1) state, city, or town police officer;

(2) sheriff;

(3) town marshal;

(4) conservation officer; or

(5) deputy of any person listed in subdivisions (1) through (4).

(b) Notwithstanding subsection (c), the following individuals are not required to complete a hunter education course to obtain a hunting license:

(1) An active, reserve, or honorably discharged member of the:

(A) United States Army;

(B) United States Navy;

(C) United States Air Force;

(D) United States Coast Guard;

(E) United States Marine Corps;

(F) Indiana Army National Guard; or

(G) Indiana Air National Guard.

(2) A law enforcement officer who:

(A) is on active duty; or

(B) has honorably retired as a law enforcement officer after at least twenty (20) years of service.

~~(a)~~ **(c)** In addition to other requirements for obtaining a hunting license, a person born after December 31, 1986, must have successfully completed the course of instruction in hunter education offered by the department or the department's agent under IC 14-22-35.

~~(b)~~ **(d)** If an applicant for a hunting license who is subject to subsection ~~(a)~~ **(c)** requests that a hunter education course be offered in the applicant's county of residence, the department or the department's agent shall offer a hunting safety course under IC 14-22-35 in the applicant's county of residence not more than ninety-two (92) days after receiving a request."

Page 28, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 29. IC 20-12-19.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

Chapter 19.1. Resident Tuition for Active Duty Military Personnel

Sec. 1. As used in this chapter, "active duty" means full-time service in the armed forces of the United States that exceeds thirty (30) days in a calendar year.

Sec. 2. As used in this chapter, "armed forces of the United States" means any of the following:

(1) The United States Air Force.

(2) The United States Army.

(3) The United States Coast Guard.

(4) The United States Marine Corps.

(5) The United States Navy.

Sec. 3. As used in this chapter, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

Sec. 4. Notwithstanding any other statute, a person who:

(1) is a nonresident of Indiana;

(2) serves on active duty;

(3) is stationed in Indiana; and

(4) attends a state educational institution;

1 **is eligible to pay the resident tuition rate determined by the state**
 2 **educational institution."**

3 Page 31, line 11, after "of the" insert "**Indiana**".

4 Page 31, between lines 17 and 18, begin a new paragraph and insert:

5 "SECTION 32. IC 20-28-2-6, AS ADDED BY P.L.246-2005,
 6 SECTION 142, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) Subject to subsection (c) and
 8 in addition to the powers and duties set forth in IC 20-20-22 or this
 9 article, the advisory board may adopt rules under IC 4-22-2 to do the
 10 following:

11 (1) Set standards for teacher licensing and for the administration
 12 of a professional licensing and certification process by the
 13 department.

14 (2) Approve or disapprove teacher preparation programs.

15 (3) Set fees to be charged in connection with teacher licensing.

16 (4) Suspend, revoke, or reinstate teacher licenses.

17 (5) Enter into agreements with other states to acquire reciprocal
 18 approval of teacher preparation programs.

19 (6) Set standards for teacher licensing concerning new subjects of
 20 study.

21 (7) Evaluate work experience and military service concerning
 22 higher education and experience equivalency.

23 (8) Perform any other action that:

24 (A) relates to the improvement of instruction in the public
 25 schools through teacher education and professional
 26 development through continuing education; and

27 (B) attracts qualified candidates for teacher education from
 28 among the high school graduates of Indiana.

29 (9) Set standards for endorsement of school psychologists as
 30 independent practice school psychologists under IC 20-28-12.

31 (b) Notwithstanding subsection (a)(1), an individual is entitled to
 32 one (1) year of occupational experience for purposes of obtaining an
 33 occupational specialist certificate under this article for each year the
 34 individual holds a license under IC 25-8-6.

35 (c) Before publishing notice of the intent to adopt a rule under
 36 IC 4-22-2, the advisory board must submit the proposed rule to the
 37 state superintendent for approval. If the state superintendent approves
 38 the rule, the advisory board may publish notice of the intent to adopt

the rule. If the state superintendent does not approve the rule, the advisory board may not publish notice of the intent to adopt the rule.

(d) The advisory board may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to establish procedures to expedite the issuance, renewal, or reinstatement under this article of a license or certificate of a person whose spouse serves on active duty (as defined in IC 25-1-12-2) and is assigned to a duty station in Indiana. Before publishing notice of the intent to adopt a permanent rule under IC 4-22-2, the advisory board must comply with subsection (c).

SECTION 33. IC 25-1-9-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 20. The board may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to establish procedures to expedite the issuance or renewal of a:**

- (1) license;**
- (2) certificate;**
- (3) registration; or**
- (4) permit;**

of a person whose spouse serves on active duty (as defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.

SECTION 35. IC 25-1-11-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 21. The board may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to establish procedures to expedite the issuance or renewal of a:**

- (1) license;**
- (2) certificate;**
- (3) registration; or**
- (4) permit;**

of a person whose spouse serves on active duty (as defined in IC 25-1-12-2) and is assigned to a duty station in Indiana."

Page 31, between lines 40 and 41, begin a new paragraph and insert:
"SECTION 37. [EFFECTIVE JULY 1, 2007] **IC 5-10.4-4-8, as**

1 **amended by this act, applies to members of the Indiana state**
2 **teachers' retirement fund who retire after June 30, 2007."**

3 Renumber all SECTIONS consecutively.
 (Reference is to HB 1538 as introduced.)

and when so amended that said bill do pass.

Representative Tinch